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इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके ।

Separate paging is given to this Part in order that it may be filed as a separate compilation

LOK SABHA

The following Bills were introduced in Lok Sabha on the 7th May 1985 :-

BILL NO. 107 OF 1985

A Bill to provide for the acquisition and transfer of the sick tea units specified in the First Schedule and the right, title and interest of the tea companies in respect of the said tea units with a view to securing proper reorganisation and management of such tea units so as to subserve the interests of the general public by augmenting the production and manufacture of different varieties of tea which are essential to the needs of the economy of the country and for matters connected therewith or incidental thereto.

WHEREAS the sick tea units specified in the First Schedule had been engaged in the production and manufacture of different varieties of tea;

AND WHEREAS the management of the said tea units was taken over by the Central Government under the Tea Act, 1953; 29 of 1953

AND WHEREAS the Central Government had invested large sums of money with a view to making the said tea units viable;

AND WHEREAS further investment of large sums of money is necessary for reorganising and rehabilitating the said tea units;

AND WHEREAS the acquisition by the Central Government of the said tea units is necessary to enable it to invest such large sums of money and to protect the large investments already made and also the interests of the workmen employed therein by proper reorganisation and management of the said tea units and thereby to augment the production and manufacture of different varieties of tea which are essential to the needs of the economy of the country;

BE it enacted by Parliament in the Thirty-sixth Year of the Republic of India as follows:

CHAPTER I

PRELIMINARY

Short title and commencement.

1. (*1*) This Act may be called the Tea Companies (Acquisition and Transfer of Sick Tea Units) Act, 1985.

(*2*) It shall be deemed to have come into force on the 8th day of April, 1985.

Definitions.

2. In this Act, unless the context otherwise requires,—

(*a*) "appointed day" means the date of commencement of this Act;

(*b*) "Commissioner" means the Commissioner of Payments appointed under section 13;

(*c*) "notification" means a notification published in the Official Gazette;

(*d*) "prescribed" means prescribed by rules made under this Act;

(*e*) "sick tea unit" means a tea unit, specified in column (2) of the First Schedule, the management of which had, before the appointed day, been taken over by the Central Government under the Tea Act, 1953; 29 of 1953.

(*f*) "specified date", in relation to any provision of this Act, means such date as the Central Government may, by notification, specify for the purposes of that provision and different dates may be specified for different provisions of this Act;

(*g*) "tea companies" means the companies (being companies as defined in the Companies Act, 1956) specified in column (3) of the First Schedule; 1 of 1956.

(*h*) "Tea Trading Corporation" means the Tea Trading Corporation of India Limited, a company incorporated and registered under the Companies Act, 1956; 1 of 1956.

(*i*) words and expressions used herein and not defined but defined in the Tea Act, 1953, shall have the meanings respectively assigned to them in that Act; 29 of 1953.

(*j*) words and expressions used herein and not defined either in this Act or in the Tea Act, 1953, but defined in the Companies Act, 1956 shall have the meanings respectively assigned to them in the Companies Act, 1956. 29 of 1953. 1 of 1956.

CHAPTER II

ACQUISITION AND TRANSFER OF THE SICK TEA UNITS OF THE TEA COMPANIES

Acquisition of rights of tea companies in respect of sick tea units.

3. (*1*) On the appointed day, every sick tea unit and the right, title and interest of every tea company in relation to its sick tea units or, as the case may be, sick tea unit shall, by virtue of this Act, stand transferred to, and vest in, the Central Government.

(*2*) Every sick tea unit which stands vested in the Central Government by virtue of sub-section (*1*) shall, immediately after it has so vested, stand transferred to, and vested in, the Tea Trading Corporation.

General effect of vesting.

4. (*1*) Every sick tea unit shall be deemed to include all assets, rights, lease-holds, powers, authorities and privileges and all property, movable and immovable, including lands, buildings, workshops, stores, instruments, machinery and equipment, cash balances, cash on hand, reserve funds, investments, book debts and all other rights and interests in, or arising out of, such property as were, immediately before the appointed day, in the ownership, possession, power or control of the tea company concerned, whether within or outside India, and all books of account, registers and all other documents of whatever nature relating thereto and shall also be deemed to include the liabilities specified in sub-section (*1*) of section 24.

(*2*) All properties as aforesaid which have vested in the Tea Trading Corporation under sub-section (*2*) of section 3 shall, by force of such vesting, be freed and discharged from any trust, obligation, mortgage, charge, lien and all other incumbrances affecting them and any attachment, injunction, decree or order of any court, tribunal or other authority restricting the use of such properties in any manner or appointing any receiver in respect of the whole or any part of such properties shall be deemed to have been withdrawn.

(*3*) Every mortgagee of any property which has vested under this Act in the Tea Trading Corporation and every person holding any charge, lien or other interest in, or in relation to, any such property shall give, within such time and in such manner as may be prescribed, an intimation to the Commissioner of such mortgage, charge, lien or other interest.

(*4*) For the removal of doubts, it is hereby declared that the mortgagee of any property referred to in sub-section (*3*) or any other person holding any charge, lien or other interest in or in relation to, any such property shall be entitled to claim, in accordance with his rights and interests, payment of the mortgage money or other dues, in whole or in part, out of the amounts directed to be given under sections 6 and 7 to the tea company concerned but no such mortgage, charge, lien or other interest shall be enforceable against any property which has vested in the Tea Trading Corporation.

(*5*) Any licence or other instrument granted to a tea company in relation to its sick tea unit which has vested in the Tea Trading Corporation under sub-section (*2*) of section 3 at any time before the appointed day and in force immediately before that day shall continue to be in force on and after such day in accordance with its tenor in relation to and for the purposes of such sick tea unit, and that Corporation shall be

deemed to be substituted in such licence or other instrument as if such licence or other instrument had been granted to such Corporation and such Corporation shall hold it for the remainder of the period for which the tea company would have held it under the terms thereof.

(6) if, on the appointed day, any suit, appeal or other proceeding of whatever nature, in relation to any matter specified in sub-section (1) of section 24, in respect of the sick tea unit of any tea company which has vested in the Tea Trading Corporation under sub-section (2) of section 3, instituted or preferred by or against that company, is pending, the same shall not abate, be discontinued or be, in any way, prejudicially affected by reason of the transfer of the sick tea unit of such tea company or of anything contained in this Act, but the suit, appeal or other proceeding may be continued, prosecuted or enforced by or against the Tea Trading Corporation.

Tea companies to be liable for certain prior liabilities.

5. Subject to other provisions of this Act, every liability, other than the liability specified in sub-section (1) of section 24, of a tea company in respect of any period prior to the appointed day, shall be the liability of that company and shall be enforceable against it and not against the Tea Trading Corporation.

CHAPTER III

PAYMENT OF AMOUNTS

Payment of amount

6. Every tea company shall be given; by the Central Government; for the transfer to and vesting in that Government under sub-section (1) of section 3 of the sick tea unit or, as the case may be, each sick tea unit of that company and the right, title and interest of that company in relation to such sick tea unit, in cash and in the manner specified in Chapter VI, such amount as is specified against the name of that sick tea unit in column (4) of the First Schedule.

Payment of further amount.

7. (1) Every tea company shall be given, by the Central Government, per annum, for the deprivation of the management of its sick tea unit, an amount as is specified against the name of that sick tea unit in column (5) of the First Schedule, for the period commencing on the date on which the management of such sick tea unit was taken over in pursuance of the order made by the Central Government under the provisions of the Tea Act, 1953 and ending on the appointed day.

29 of 1953.

(2) Every amount specified in columns (4) and (5) of the First Schedule shall carry simple interest at the rate of four per cent. per annum for the period commencing on the appointed day and ending on the date on which the payment of such amount is made by the Central Government to the Commissioner.

(3) The amounts determined in relation to any tea company in accordance with the provisions of sub-section (2) shall be given by the Central Government to the tea company in addition to the amounts specified in columns (4) and (5) of the First Schedule against that company.

CHAPTER IV

MANAGEMENT, ETC., OF THE SICK TEA UNITS OF THE TEA COMPANIES

Management etc. of the sick tea units of the tea companies.

8. The Tea Trading Corporation or any person which that Corporation may, by order in writing, specify, shall be entitled to exercise the powers of general superintendence, direction, control and management of the affairs and business of a sick tea unit, the right, title and interest of the tea company in relation to which have vested in the Corporation under sub-section (2) of section 3, and do all such things as the tea company of the sick tea unit is authorised to exercise and do.

Duty of persons in charge of management of the sick tea units to deliver all assets, etc.

9. (*1*) On the vesting of the management of the sick tea units of the tea companies in the Tea Trading Corporation, the persons in charge of the management of such sick tea units immediately before such vesting shall be bound to deliver to the Tea Trading Corporation all assets, books of account, registers and all other documents in their custody relating to such sick tea units.

(2) The Central Government may issue such directions as it may deem desirable in the circumstances of the case to the Tea Trading Corporation and the said Corporation may also, if it is considered necessary so to do, apply to the Central Government at any time for instructions as to the manner in which the management of the sick tea units of the tea companies shall be conducted or in relation to any other matter arising in the course of such management.

Duty of persons to account for assets, etc., in their possession.

10. (*1*) Any person who has, on the appointed day, in his possession or under his control any assets, books, documents or other papers relating to any sick tea unit owned by a tea company which has vested in the Tea Trading Corporation under this Act shall be liable to account for the said assets, books, documents and other papers to the Tea Trading Corporation and shall deliver them up to that Corporation or to such person or persons as that Corporation may specify in this behalf.

(2) The Tea Trading Corporation may take or cause to be taken all necessary steps for securing possession of the sick tea units of the tea companies which have vested in that Corporation under this Act.

(3) Every tea company shall, within such period as the Tea Trading Corporation may allow in this behalf, furnish to that Corporation a complete inventory of all property and assets, as on the appointed day pertaining to its sick tea unit, which have vested in that Corporation under sub-section (2) of section 3, and for this purpose, the Corporation shall afford to such company all reasonable facilities.

CHAPTER V

PROVISIONS RELATING TO EMPLOYEES OF THE TEA COMPANIES

Continuance of employees.

11. (*1*) Every person who has been, immediately before the appointed day, employed in any sick tea unit of any of the tea companies shall become, on and from the appointed day, an employee of the Tea Trading Corporation and shall hold office or service under that Corporation, with the same rights and privileges as to pension, gratuity and other matters as would have been admissible to him if there had been no such vesting

and shall continue to do so unless and until his employment under that Corporation is duly terminated or until his remuneration and other conditions of service are duly altered by that Corporation.

(2) Notwithstanding anything contained in the Industrial Disputes Act, 1947, or in any other law for the time being in force, the transfer of the services of any officer or other person employed in any sick tea unit of any tea company, to the Tea Trading Corporation, shall not entitle such officer or other employee to any compensation under this Act or any other law for the time being in force and no such claim shall be entertained by any court, tribunal or other authority. 14 of 1947.

Provident fund and other funds.

12. (1) Where a tea company has established a provident fund, superannuation fund, welfare fund or other funds for the benefit of persons employed in a sick tea unit owned by it, the monies relatable to its employees whose services have become transferred by or under this Act to the Tea Trading Corporation shall, out of the monies standing, on the appointed day, to the credit of such provident fund, superannuation fund, welfare fund or other funds, stand transferred to, and vest in, the Tea Trading Corporation.

(2) The monies which stand transferred under sub-section (1) to the Tea Trading Corporation, shall be dealt with by that Corporation in such manner as may be prescribed.

CHAPTER VI

COMMISSIONER OF PAYMENTS

Appointment of Commissioner of Payments.

13. (1) The Central Government shall, for the purpose of disbursing the amounts payable under sections 6 and 7 to the tea companies, by notification, appoint a Commissioner of Payments.

(2 The Central Government may appoint such other persons as it may think fit to assist the Commissioner and thereupon the Commissioner may authorise one or more of such persons also to exercise all or any of the powers exercisable by him under this Act and different persons may be authorised to exercise different powers.

(3) Any person authorised by the Commissioner to exercise any of the powers exercisable by the Commissioner may exercise those powers in the same manner and with the same effect as if they have been conferred on that person directly by this Act and not by way of authorisation.

(4) The salaries and allowances of the Commissioner and other persons appointed under this section shall be defrayed out of the Consolidated Fund of India.

Payment by the Central Government to the Commissioner.

14. (1) The Central Government shall, within thirty days from the specified date, pay in cash to the Commissioner, for payment to every tea company,—

(*a*) an amount equal to the amounts or amount specified against the name of that company in column (4) of the First Schedule; and

(*b*) a further amount equal to the amounts or amount specified against the name of that company in column (5) of the First Schedule.

(2) A deposit account shall be opened by the Central Government in favour of the Commissioner in the Public Account of India, and every amount paid under this Act to the Commissioner shall be deposited by him to the credit of the said deposit account and the said deposit account shall be operated by the Commissioner.

(3) Separate records shall be maintained by the Commissioner in respect of each of the tea companies in relation to which payment has been made to him under this Act.

(4) Interest accruing on the amount in relation to a tea company standing to the credit of the deposit account referred to in sub-section (2) shall enure to the benefit of such tea company.

Certain powers of the Tea Trading Corporation.

15. (1) The Tea Trading Corporation shall be entitled to receive, up to the specified date, to the exclusion of all other persons, any money due to any tea company in relation to its sick tea unit which has vested in the Corporation under sub-section (2) of section 3, and realised after the appointed day, notwithstanding that the realisation pertains to a period prior to the appointed day.

(2) The Tea Trading Corporation may make a claim to the Commissioner with regard to every payment made by that Corporation, after the appointed day, for discharging any liability of a tea company, not being any liability specified in sub-section (1) of section 24, in relation to any sick tea unit owned by it in respect of any period prior to the appointed day; and every such claim shall have priority, in accordance with the priorities attaching under this Act to the matter in relation to which such liability has been discharged by the Tea Trading Corporation.

(3) Save as otherwise provided in this Act, the liabilities of a tea company in relation to any sick tea unit owned by it in respect of any transaction prior to the appointed day, which have not been discharged on or before the specified date, shall be the liabilities of that company.

Claims to be made to the Commissioner.

16. Every person having a claim against a tea company with regard to any of the matters specified in the Second Schedule, pertaining to any sick tea unit owned by it, shall prefer such claim before the Commissioner within thirty days from the specified date:

Provided that if the Commissioner is satisfied that the claimant was prevented by sufficient cause from preferring the claim within the said period of thirty days, he may entertain the claim within a further period of thirty days, but not thereafter.

Priority of claims.

17. The claims made under section 16 shall have priorities in accordance with the following principles, namely:—

(a) Category I shall have precedence over all other categories and Category II shall have precedence over Category III, and so on;

(b) the claims specified in each of the categories shall rank equally and be paid in full, but if the amount paid to the Commissioner under this Act is insufficient to meet such claims in full, they shall abate in equal proportions and be paid accordingly; and

(c) the question of discharging any liability with regard to a matter specified in a lower category shall arise only if a surplus is left after meeting all the liabilities specified in the immediately higher category.

Examination of claims.

18. (1) On receipt of the claims made under section 16, the Commissioner shall arrange the claims in the order of priorities specified in the Second Schedule and examine the same in accordance with such order.

(2) If on an examination of the claims against a tea company, the Commissioner is of the opinion that the amount paid to him under this Act for payment to such company is not sufficient to meet the liabilities specified in any lower category, he shall not be required to examine any claim in respect of such lower category.

Admission or rejection of claims.

19. (1) After examining the claims against a tea company, with reference to the priorities set out in the Second Schedule, the Commissioner shall fix a date on or before which every claimant against the tea company shall file the proof of his claim.

(2) Not less than fourteen days' notice of the date so fixed shall be given by advertisement in one issue of any daily newspaper in the English language having circulation in the major parts of the country and one issue of any daily newspaper in such regional language as the Commissioner may consider suitable, and every such notice shall call upon the claimant to file the proof of his claim with the Commissioner within the period specified in the advertisement.

(3) Every claimant who fails to file the proof of his claim within the period specified by the Commissioner shall be excluded from the disbursements made by the Commissioner.

(4) The Commissioner shall, after such investigation as may, in his opinion, be necessary and after giving the tea company concerned an opportunity of refuting the claim and after giving the claimant a reasonable opportunity of being heard, by order in writing, admit or reject the claim in whole or in part.

(5) The Commissioner shall have the power to regulate his own procedure in all matters arising out of the discharge of his functions, including the place or places at which he may hold his sittings and shall, for the purpose of making any investigation under this Act, have the same powers as are vested in a Civil Court under the Code of Civil Procedure, 1908, while trying a suit in respect of the following matters, namely:— 5 of 1908.

(a) the summoning and enforcing the attendance of any witness and examining him on oath;

(b) the discovery and production of any document or other material object producible as evidence;

(c) the reception of evidence on affidavit;

(d) the issuing of any commission for the examination of witnesses.

(6) Any investigation before the Commissioner shall be deemed to be a judicial proceeding within the meaning of sections 193 and 228 of the 45 of 1860. Indian Penal Code, and the Commissioner shall be deemed to be a Civil Court for the purposes of section 195 and Chapter XXVI of the Code of 2 of 1974. Criminal Procedure, 1973.

(7) A claimant who is dissatisfied with the decision of the Commissioner may prefer an appeal against such decision to the High Court within the local limits of whose jurisdiction the registered office of the tea company concerned is situated and every such appeal shall be heard and disposed of by not less than two Judges of that High Court.

Disbursement of money by the Commissioner.

20. After admitting a claim against a tea company under this Act, the amount due in respect of such claim shall be paid by the Commissioner to the person or persons to whom such amount is due and on such payment, the liability of such tea company in respect of such claim shall stand discharged.

Disbursement of amounts to the tea companies.

21. (1) If out of the monies paid to him in relation to a tea company, there is a balance left after meeting the liabilities as specified in the Second Schedule, the Commissioner shall disburse such balance to such tea company.

(2) Where the possession of any machinery, equipment or other property possessed by a tea company has vested in the Tea Trading Corporation under this Act but such machinery, equipment or other property does not belong to such tea company, it shall be lawful for that Corporation to continue to possess such machinery or equipment or other property on the same terms and conditions under which they were possessed by such tea company immediately before the appointed day.

Undisbursed or unclaimed amounts to be deposited with the general revenue account

22. Any money paid to the Commissioner which remains undisbursed or unclaimed on the date immediately preceding the date on which the office of the Commissioner is finally wound up, shall be transferred by the Commissioner, before his office is finally wound up, to the general revenue account of the Central Government, but a claim to any money so transferred may be preferred to the Central Government by the person entitled to such payment and shall be dealt with as if such transfer had not been made, and the order, if any, for payment of the claim being treated as an order for the refund of revenue.

CHAPTER VII

MISCELLANEOUS

Act to have overriding effect.

23. The provisions of this Act shall have effect notwithstanding anything inconsistent therewith contained in any other law for the time being in force or in any instrument having effect by virtue of any law, other than this Act, or in any decree or order of any court, tribunal or other authority.

Assumption of liability.

24. (1) Where any liability of a tea company arising out of any item specified in Category I of the Second Schedule is not discharged fully by the Commissioner out of the amounts paid to him under this Act, the Commissioner shall intimate in writing to the Central Government

the extent of the liability which remains undischarged and that liability shall be assumed by the Central Government.

(2) The Central Government may, by order, direct the Tea Trading Corporation to take over the liability assumed by the Central Government under sub-section (1), and on receipt of such direction, it shall be the duty of that Corporation to discharge such liability.

Management to contnue to vest in certain persons until alternative arrangements have been made.

25. Notwithstanding the vesting under this Act of a sick tea unit of any tea company in the Tea Trading Corporation—

(a) any person who has been managing the affairs of such sick tea unit before the date on which that unit had so vested shall, until alternative arrangements have been made by the Tea Trading Corporation for the management of such unit, continue to manage the affairs of the unit, as if such person had been authorised by the Tea Trading Corporation, to manage such unit;

(b) such person shall, until alternative arrangements have been made by the Tea Trading Corporation, continue to be authorised to operate, in relation to the sick tea unit of such tea company, any account of such unit in any bank as if he had been authorised by the Tea Trading Corporation to operate such account.

Contracts to cease to have effect unless ratified by the Tea Trading Corporation.

26. Every contract entered into by any tea company in relation to any sick tea unit owned by it which has vested in the Tea Trading Corporation under sub-section (2) of section 3, for any service, sale or supply and in force immediately before the appointed day, shall, on and from the expiry of a period of one hundred and eighty days from the appointed day, cease to have effect unless such contract is, before the expiry of that period, ratified in writing by the Tea Trading Corporation, and in ratifying such contract, the Tea Trading Corporation may make such alterations or modifications therein as it may think fit:

Provided that the Tea Trading Corporation shall not omit to ratify a contract and shall not make any alteration or modification in a contract—

(a) unless it is satisfied that such contract is unduly onerous or has been entered into in bad faith or is detrimental to the interests of the Tea Trading Corporation; and

(b) except after giving the parties to the contract a reasonable opportunity of being heard and except after recording in writing its reasons for refusal to ratify the contract or for making any alteration or modification therein.

Penalties.

27. Any person who,—

(a) having in his possession, custody or control any property forming part of a sick tea unit owned by any tea company wrongfully withholds such property from the Tea Trading Corporation; or

(b) wrongfully obtains possession of, or retains any property forming part of, a sick tea unit owned by any tea company; or

(c) wilfully withholds or fails to furnish to the Tea Trading Corporation or any person or body of persons specified by that Corporation, any document or inventory relating to a sick tea unit owned by any tea company, which may be in his possession, custody or control; or

(d) fails to deliver to the Tea Trading Corporation or any person or body of persons specified by that Corporation, any assets, books of account, registers or other documents in his possession, custody or control relating to a sick tea unit owned by any tea company; or

(e) wrongfully removes or destroys any property forming part of a sick tea unit owned by any tea company or prefers any claim under this Act which he knows or has reason to believe to be false or grossly inaccurate,

shall be punishable with imprisonment for a term which may extend to two years and also with fine which may extend to ten thousand rupees.

Offences by companies

28. (*1*) Where an offence punishable under this Act has been committed by a company, every person who, at the time the offence was committed, was in charge of, and was responsible to, the company for the conduct of the business of the company, as well as the company, shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly:

Provided that nothing contained in this sub-section shall render any such person liable to any punishment, if he proves that the offence was committed without his knowledge or that he had exercised all due diligence to prevent the commission of such offence.

(*2*) Notwithstanding anything contained in sub-section (*1*), where any offence under this Act has been committed by a company and it is proved that the offence has been committed with the consent or connivance of, or is attributable to any neglect on the part of, any director, manager, secretary or other officer of the company, such director, manager, secretary or other officer shall be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

Explanation.—For the purposes of this section—

(*a*) "company" means any body corporate and includes a firm or other association of individuals; and

(*b*) "director", in relation to a firm, means a partner in the firm.

Protection of action taken in good faith.

29. (*1*) No suit, prosecution or other legal proceeding shall lie against the Central Government or any officer of that Government or the Tea Trading Corporation or other person authorised by that Government or Corporation for anything which is in good faith done or intended to be done under this Act.

(*2*) No suit or other legal proceeding shall lie against the Central Government or any of its officers or other employees or the Tea Trading Corporation or any officer or other person authorised by that Corpora-

tion for any damage caused or likely to be caused for anything which is in good faith done or intended to be done under this Act.

Tea companies not to be wound up by the court.

30. No proceeding for the winding up of a tea company, the right, title and interest in relation to a sick tea unit owned by which have vested in the Tea Trading Corporation under this Act or for the appointment of a receiver in respect of the business of the sick tea unit shall lie or be proceeded with in any court except with the consent of the Central Government.

Delegation of powers.

31. (*1*) The Central Government may, by notification, direct that all or any of the powers exercisable by it under this Act, other than the powers conferred by this section and sections 32 and 33, may also be exercised by such person or persons as may be specified in the notification.

(*2*) Whenever any delegation of power is made under sub-section (*1*), the person to whom such power has been delegated shall act under the direction, control and supervision of the Central Government.

Power to make rules.

32. (*1*) The Central Government may, by notification, make rules for carrying out the provisions of this Act.

(*2*) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely:—

(*a*) the time within which, and the manner in which, an intimation referred to in sub-section (*3*) of section 4 shall be given;

(*b*) the manner in which the monies in any provident fund or other fund, referred to in sub-section (*2*) of section 12, shall be dealt with;

(*c*) any other matter which is required to be, or may be, prescribed.

(*3*) Every rule made by the Central Government under this Act shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

Power to remove difficulties.

33. If any difficulty arises in giving effect to the provisions of this Act, the Central Government may, by order, not inconsistent with the provisions of this Act, remove the difficulty:

Provided that no such order shall be made after the expiry of a period of two years from the appointed day.

Repeal and saving.

34. (*1*) The Tea Companies (Acquisition and Transfer of Sick Tea Units) Ordinance, 1985, is hereby repealed.

(*2*) Notwithstanding such repeal, anything done or any action taken under the said Ordinance shall be deemed to have been done or taken under the corresponding provisions of this Act.

THE FIRST SCHEDULE

[*See* sections 2(*e*) and (*g*), 6, 7 and 14(*1*)]

Sl. No.	Name of the sick tea unit	Name of the tea company	Amount (Rupees in lakhs)	Further amount (Rupees)
(1)	(2)	(3)	(4)	(5)
1.	Pashok Tea Estate	Messrs Pashok Tea Company Limited, 10, Pollock Street, Calcutta.	26.03	7,640
2.	Looksan Tea Estate	Messrs Pashok Tea Company Limited, 10, Pollock Street, Calcutta.	100.15	9,340
3.	Vah-Tukvar Tea Estate	Messrs Sashi Tara Tea Company Private Limited, Darjeeling.	25.82	4,940
4.	Potong Tea Estate	Messrs Moon Moon Tea Company (Private) Limited, 5, Clive Row, Calcutta.	16.35	3,460

THE SECOND SCHEDULE

[*See* sections 16, 18(*1*), 19(*1*), 21(*1*) and 24(*1*)]

ORDER OF PRIORITIES

Category I—

Employees' dues on account of unpaid salaries, wages, provident fund, Employees' State Insurance contribution or premium relating to the Life Insurance Corporation of India and any other amounts due to employees in respect of any period whether before or after the management of the sick tea units had been taken over by the Central Government.

Category II—

Land revenue, taxes, cesses, rural employment cess, electricity duty, or other dues to the State Government and Local Authorities in respect of any period whether before or after the management of the sick tea units had been taken over by the Central Government.

Category III—

Loans and other financial accommodation, together with interest, provided by the Central Government as well as similar accommodation provided by commercial banks and public financial institutions during any period after the management of the sick tea units had been taken over by the Central Government.

Category IV—

Revenue, taxes, cesses, rates or other dues to the Central Government, in respect of any period whether before or after the management of the sick tea units had been taken over by the Central Government.

Category V—

Secured loans obtained by any tea company for the purposes of its sick tea unit from nationalised banks, Tea Board constituted under the Tea Act, 1953, and public financial institutions during any period before the management of that sick tea unit had been taken over by the Central Government. 29 of 1953.

Category VI—

Any other credit availed of by any tea company for trade or manufacturing purposes with respect to its sick tea unit, during any period before the management of that sick tea unit had been taken over by the Central Government.

STATEMENT OF OBJECTS AND REASONS

The Tea Companies (Acquisition and Transfer of Sick Tea Units) Ordinance, 1985 was promulgated by the President on the 8th April, 1985, to acquire four sick tea units. The management of the four sick units, namely, Pashok, Looksan, Vah-Tukvar and Potong was taken over by the Central Government under the provisions of the Tea Act, 1953 after continued mismanagement and neglect of the said tea units by the tea companies concerned, coupled with reckless investments made and incumbrances created by those companies, had led to a state of deterioration which threatened the very continuance of the said tea units as also of the employment of about 3000 workers. The Central Government had invested considerable effort and money to nurse the tea units back to health with a view to safeguarding the interests of the workmen employed therein, and exploiting the full potential of the tea units for augmenting the production and manufacture of different varieties of tea which are essential to the needs of the economy of the country. Further investment of large sums of money was also considered necessary for re-organising and rehabilitating these gardens for attaining the objective fully. It was necessary for the Central Government to have an effective control over the affairs of the gardens to enable it to make further investments of such large sums of money and to protect the large investments already made. Since the period of take-over of management was expiring on the 10th April, 1985 in respect of Pashok, Looksan and Vah-Tukvar tea units and on the 19th June, 1985 in respect of Potong tea unit, it was decided to acquire these tea units without any further loss of time. In view of the urgency of the matter, and as the Council of States was not in Session at that time, the abovementioned Ordinance was promulgated.

2. The Bill seeks to replace the said Ordinance.

NEW DELHI;
The 24th April, 1985.

VISHWANATH PRATAP SINGH.

FINANCIAL MEMORANDUM

Clause 6 of the Bill provides that every tea company shall be given by the Central Government, for the transfer to and vesting in that Government of the sick tea unit or, as the case may be, each sick tea unit of that company and the right, title and interest of that company in relation to such sick tea unit, an amount in cash. The amount so payable will be approximately Rs. 168.35 lakhs. The said amount will be placed at the disposal of a Commissioner of Payments, to be appointed under clause 13 of the Bill, for payment to the said tea companies.

2. Sub-clause (1) of clause 7 of the Bill provides for the payment of an amount to every tea company, for the deprivation of the management of its sick tea unit, for the period commencing on the date on which the management of such sick tea unit was taken over by the Central Government under the Tea Act, 1953 and ending on the appointed day. The amount so payable for a period of 8½ years in respect of 3 gardens and 5½ years in respect of the remaining garden will be approximately Rs. 2.1 lakhs.

3. Sub-clause (2) of clause 7 of the Bill provides that the amount payable to the tea companies in terms of clause 6 and sub-clause (1) of clause 7 of the Bill shall carry simple interest at the rate of four per cent. per annum for the period commencing on the appointed day and ending on the date on which the payment of such amount is made by the Central Government to the Commissioner of Payments. This amount will be approximately Rs. 7 lakhs.

4. Clause 13 of the Bill provides for the appointment of a Commissioner of Payments and such other persons as the Central Government may think fit to assist the Commissioner of Payments. Under sub-clause (4) of clause 13, the salaries and allowances of the Commissioner of Payments and other persons appointed under that clause shall be defrayed out of the Consolidated Fund of India. The expenditure to be incurred on this account may not exceed Rs. 1 lakh per annum.

5. Clause 24 of the Bill provides for assumption of certain liabilities by the Central Government. The total extent of liabilities covered by that clause is much less than the total amount payable to the Commissioner as indicated in paragraphs 1 and 2 of this Memorandum. No additional financial liability is, therefore, likely to devolve on the Central Government under this clause.

6. It is also estimated that funds to the tune of Rs. 1.10 crores will be required, inclusive of bank loans and Government equity contribution, for investments to make the gardens viable and to meet cash deficits during the gestation period. The gardens are expected to achieve break-even by around 1991-92 and are likely to be in a position to pay back investments and losses during gestation period by 1995-96.

7. The Bill, if enacted, is not likely to involve any other recurring or non-recurring expenditure.

MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 32 of the Bill empowers the Central Government to make rules to carry out the provisions of the Bill. The matters in respect of which rules may be made, *inter alia*, relate to the time within which, and the manner in which, intimation regarding any mortgage, charge, lien or other interest in, or in relation to, the properties which have vested in the Tea Trading Corporation under clause 3 of the Bill, shall be given to the Commissioner of Payments and the manner in which the monies in any provident fund, superannuation, welfare or other fund maintained by the tea company shall be dealt with by the Tea Trading Corporation.

2. The matters in respect of which rules may be made are matters of procedure and administrative detail. The delegation of legislative power is thus of a normal character.

BILL NO. 102 OF 1985

A Bill to authorise payment and appropriation of certain sums from and out of the Consolidated Fund of India for the services of the financial year 1985-86.

BE it enacted by Parliament in the Thirty-sixth Year of the Republic of India as follows:—

Short title.

1. This Act may be called the Appropriation (No. 4) Act, 1985.

Issue of Rs. 212798, 82,40,000 out of the Consolidated Fund of India for the year 1985-86.

2. From and out of the Consolidated Fund of India there may be paid and applied sums not exceeding those specified in column 3 of the Schedule amounting in the aggregate [inclusive of the sums specified in column 3 of the Schedule to the Appropriation (Vote on Account) Act, 1985] to the sum of two lakhs twelve thousand seven hundred and ninety-eight crores, eighty-two lakhs, and forty thousand rupees towards defraying the several charges which will come in course of payment during the financial year 1985-86 in respect of the services specified in column 2 of the Schedule. 14 of 1985.

Appropriation.

3. The sums authorised to be paid and applied from and out of the Consolidated Fund of India by this Act shall be appropriated for the services and purposes expressed in the Schedule in relation to the said year.

Construction of references to Ministries and Departments in the Schedule.

4. References to Ministries or Departments in the Schedule are to such Ministries or Departments as existing immediately before the 6th day of March, 1985 and shall, on or after that date, be construed as references to the appropriate Ministries or Departments as reconstituted from time to time.

THE SCHEDULE

(*See* sections 2, 3 and 4)

1	2		3		
No. of Vote	Services and purposes		Sums not exceeding		
			Voted by Parliament	Charged on the Consolidated Fund	Total
			Rs.	Rs.	Rs.
1	Department of Agriculture and Co-operation . .	Revenue	4,71,42,000	*10,000*	4,71,52,000
2	Agriculture . .	Revenue	249,15,42,000	..	249,15,42,000
		Capital	2207,49,60,000	*216,49,65,000*	2423,99,25,000
3	Fisheries . .	Revenue	26,86,84,000	..	26,86,84,000
		Capital	9,84,10,000	*11,00,000*	9,95,10,000
4	Animal Husbandry and Dairy Development . . .	Revenue	136,43,61,000	*20,000*	136,43,81,000
		Capital	47,34,07,000	*1,05,00,000*	48,39,07,000
5	Co-operation . .	Revenue	16,34,80,000	..	16,34,80,000
		Capital	235,87,00,000	*5,50,00,000*	241,37,00,000
6	Department of Agricultural Research and Education .	Revenue	88,91,000	..	88,91,000
7	Payments to Indian Council of Agricultural Research .	Revenue	148,39,16,000	..	148,39,16,000
8	Department of Rural Development	Revenue	937,89,87,000	*6,000*	937,89,93,000
		Capital	45,15,000	..	45,15,000
9	Ministry of Chemicals and Fertilizers	Revenue	1241,35,73,000	..	1241,35,73,000
		Capital	285,52,00,000	*5,00,00,000*	290,52,00,000
10	Ministry of Commerce and Supply	Revenue	3,44,02,000	..	3,44,02,000
11	Foreign Trade and Export Production	Revenue	821,85,07,000	..	821,85,07,000
		Capital	109,73,51,000	...	109,73,51,000
12	Textiles, Handloom and Handicrafts .	Revenue	263,61,95,000	...	263,61,95,000
		Capital	219,77,82,000	*14,06,67,000*	233,84,49,000
13	Supplies and Disposals . .	Revenue	15,24,33,000	*25,00,000*	15,49,33,000

1	2		3		
No. of Vote	Services and purposes		Sums not exceeding		
			Voted by Parliament	Charged on the Consolidated Fund	Total
			Rs.	Rs.	Rs.
14	Ministry of Communications	Revenue	5,54,76,000	..	5,54,76,000
		Capital	42,74,00,000	..	42,74,00,000
15	Overseas Communications Service	Revenue	45,25,20,000	..	45,25,20,000
		Capital	14,00,00,000	..	14,00,00,000
16	Postal Services	Revenue	789,55,00,000	45,00,000	790,00,00,000
		Capital	35,48,00,000	..	35,48,00,000
17	Telecommunication Services	Revenue	1462,40,00,000	60,00,000	1463,00,00,000
		Capital	909,59,00,000	1,00,000	909,60,00,000
18	Ministry of Defence	Revenue	476,89,99,000	25,000	476,90,24,000
		Capital	161,51,22,000	3,14,33,000	164,65,55,000
19	Defence—Pensions	Revenue	508,48,75,000	14,51,25,000	523,00,00,000
20	Defence Services—Army	Revenue	4787,08,25,000	61,75,000	4787,70,00,000
21	Defence Services—Navy	Revenue	601,95,00,000	5,00,000	602,00,00,000
22	Defence Services—Air Force	Revenue	1729,93,40,000	6,60,000	1730,00,00,000
23	Capital Outlay on Defence Services	Capital	925,52,00,000	6,48,00,000	932,00,00,000
24	Ministry of Education	Revenue	3,65,25,000	..	3,65,25,000
25	Education	Revenue	509,78,05,000	..	509,78,05,000
		Capital	50,42,000	3,50,00,000	4,00,42,000
26	Department of Environment	Revenue	41,32,76,000	..	41,32,76,000
27	Department of Forest and Wild Life	Revenue	50,94,11,000	..	50,94,11,000
		Capital	..	5,40,00,000	5,40,00,000
28	Ministry of External Affairs	Revenue	203,45,54,000	25,000	203,45,79,000
		Capital	42,68,00,000	..	42,68,00,000
29	Ministry of Finance	Revenue	13,13,41,000	..	13,13,41,000
		Capital	38,000	..	38,000
30	Customs	Revenue	79,27,17,000	45,000	79,27,62,000
		Capital	41,50,00,000	..	41,50,00,000
31	Union Excise Duties	Revenue	96,94,09,000	3,03,000	96,97,12,000
32	Taxes on Income, Estate Duty, Wealth Tax and Gift Tax	Revenue	108,34,65,000	1,32,000	108,35,97,000
33	Stamps	Revenue	43,53,69,000	..	43,53,69,000
		Capital	6,76,50,000	..	6,76,50,000

1	2		3		
No. of Vote	Services and purposes		Sums not exceeding		
			Voted by Parliament	Charged on the Consolidated Fund	Total
			Rs.	Rs.	Rs.
34	Audit . . .	Revenue	131,77,47,000	*2,29,39,000*	134,06,86,000
35	Currency, Coinage and Mint . . .	Revenue	160,60,75,000	*50,000*	160,61,25,000
		Capital	98,18,46,000	..	98,18,46,000
36	Pensions . . .	Revenue	159,83,26,000	*5,46,10,000*	165,29,36,000
37	Opium and Alkaloid Factories . .	Revenue	45,71,78,000	*1,000*	45,71,79,000
		Capital	3,32,63,000	..	3,32,63,000
38	Transfers to State Governments . .	Revenue	2396,99,59,000	*6353,00,22,000*	8749,99,81,000
		Capital	..	*6662,98,60,000*	6662,98,60,000
	CHARGED.— *Interest payments* .	Revenue	..	*7075,00,00,000*	7075,00,00,000
39	Other Expenditure of the Ministry of Finance . . .	Revenue	1019,70,23,000	*10,000*	1019,70,33,000
		Capital	929,30,48,000	..	929,30,48,000
40	Loans to Government Servants, etc. . .	Capital	124,11,00,000	..	124,11,00,000
	CHARGED.—*Repayment of Debt* . .	Capital	..	*151379,77,93,000*	151379,77,93,000
41	Department of Food .	Revenue	1250,77,82,000	*50,000*	1250,78,32,000
		Capital	114,68,98,000	*23,16,000*	114,92,14,000
42	Department of Civil Supplies . .	Revenue	6,50,39,000	..	6,50,39,000
		Capital	8,58,06,000	*3,58,00,000*	12,16,06,000
43	Ministry of Health and Family Welfare .	Revenue	1,99,89,000	..	1,99,89,000
44	Medical and Public Health . . .	Revenue	316,07,29,000	*80,000*	316,08,09,000
		Capital	107,43,23,000	*2,15,000*	107,45,38,000
45	Family Welfare— .	Revenue	533,65,98,000	..	533,65,98,000
		Capital	11,18,00,000	..	11,18,00,000
46	Ministry of Home Affairs . . .	Revenue	7,55,13,000	*2,000*	7,55,15,000
47	Cabinet . . .	Revenue	7,41,25,000	..	7,41,25,000
48	Police . . .	Revenue	584,74,31,000	*1,80,000*	584,76,11,000
		Capital	38,41,95,000	*5,01,00,000*	43,42,95,000
49	Other Administrative and General Services	Revenue	279,95,82,000	*11,000*	279,95,93,000
		Capital	41,99,50,000	..	41,99,50,000

1	2		3		
No. of Vote	Services and purposes		Sums not exceeding		
			Voted by Parliament	Charged on the Consolidated Fund	Total
			Rs.	Rs.	Rs.
50	Rehabilitation . .	Revenue	151,83,40,000	*95,000*	151,84,35,000
		Capital	7,75,99,000	*7,90,61,000*	15,66,60,000
51	Other Expenditure of the Ministry of Home Affairs . .	Revenue	370,76,34,000	*163,74,33,000*	534,50,67,000
		Capital	186,98,54,000	*2,62,54,000*	189,61,08,000
52	Delhi . . .	Revenue	406,05,09,000	*1,55,65,000*	407,60,74,000
		Capital	274,93,18,000	*5,07,90,000*	280,01,08,000
53	Chandigarh . .	Revenue	67,16,68,000	*1,73,89,000*	68,90,57,000
		Capital	23,89,17,000	*75,00,000*	24,64,17,000
54	Andaman and Nicobar Islands . . .	Revenue	63,78,40,000	*10,000*	63,78,50,000
		Capital	37,11,62,000	..	37,11,62,000
55	Dadra and Nagar Haveli . . .	Revenue	8,25,75,000	..	8,25,75,000
		Capital	5,89,98,000	..	5,89,98,000
56	Lakshadweep . .	Revenue	18,88,86,000	..	18,88,86,000
		Capital	3,33,11,000	..	3,33,11,000
57	Ministry of Industry and Company Affairs	Revenue	11,15,51,000	*21,57,000*	11,37,08,000
		Capital	1,00,000	..	1,00,000
58	Industries . . .	Revenue	107,52,47,000	..	107,52,47,000
		Capital	306,84,00,000	..	306,84,00,000
59	Village and Small Industries . . .	Revenue	204,81,50,000	*30,00,00,000*	234,81,50,000
		Capital	153,29,02,000	*5,80,00,000*	159,09,02,000
60	Ministry of Information and Broadcasting	Revenue	1,63,29,000	..	1,63,29,000
61	Information and Publicity . . .	Revenue	46,33,19,000	..	46,33,19,000
		Capital	1,83,00,000	..	1,83,00,000
62	Broadcasting . .	Revenue	172,20,65,000	*1,00,000*	172,21,65,000
		Capital	122,70,87,000	*10,00,000*	122,80,87,000
63	Department of Irrigation . . .	Revenue	160,95,84,000	*80,000*	160,96,64,000
		Capital	18,23,05,000	*59,92,00,000*	78,15,05,000
64	Department of Power	Revenue	230,95,91,000	..	230,95,91,000
		Capital	1738,78,67,000	*28,10,00,000*	1766,88,67,000
65	Ministry of Labour	Revenue	1,81,89,000	..	1,81,89,000

1	2		3		
			Sums not exceeding		
No. of Vote	Services and purposes		Voted by Parliament	Charged on the Consolidated Fund	Total
			Rs.	Rs.	Rs.
66	Labour and Employment . .	Revenue	179,96,45,000	*25,000*	179,96,70,000
		Capital	1,12,01,000	..	1,12,01,000
67	Ministry of Law and Justice . . .	Revenue	32,76,68,000	..	32,76,68,000
68	Administration of Justice . . .	Revenue	1,07,17,000	*2,03,17,000*	3,10,34,000
69	Ministry of Parliamentary Affairs . .	Revenue	49,45,000	..	49,45,000
70	Ministry of Petroleum	Revenue	2,81,31,000	..	2,81,31,000
		Capital	271,39,89,000	..	271,39,89,000
71	Planning . . .	Revenue	7,69,55,000	..	7,69,55,000
72	Statistics . . .	Revenue	26,81,03,000	..	26,81,03,000
73	Department of Science and Technology .	Revenue	77,03,00,000	..	77,03,00,000
		Capital	34,50,000	..	34,50,000
74	Survey of India .	Revenue	42,55,00,000	..	42,55,00,000
		Capital	10,00,000	..	10,00,000
75	Meteorology . .	Revenue	31,18,16,000	..	31,18,16,000
		Capital	7,33,84,000	..	7,33,84,000
76	Department of Scientific and Industrial Research . .	Revenue	158,23,50,000	..	158,23,50,000
		Capital	2,70,00,000	..	2,70,00,000
77	Department of Non-Conventional Energy Sources . . .	Revenue	88,74,50,000	..	88,74,50,000
		Capital	2,40,00,000	..	2,40,00,000
78	Ministry of Shipping and Transport .	Revenue	6,06,83,000	..	6,06,83,000
79	Roads] . . .	Revenue	230,65,04,000	*5,50,000*	230,70,54,000
		Capital	272,99,69,000	*40,65,00,000*	313,64,69,000
80	Ports, Lighthouses and Shipping . .	Revenue	106,71,43,000	*3,000*	106,71,46,000
		Capital	135,69,86,000	*4,60,00,000*	140,29,86,000
81	Road and Inland Water Transport . .	Revenue	13,51,66,000	..	13,51,66,000
		Capital	131,00,16,000	*1,05,00,000*	132,05,16,000
82	Ministry of Social and Women's Welfare	Revenue	129,11,83,000	..	129,11,83,000
		Capital	66,50,000	..	66,50,000

1	2		3		
No. of Vote	Services and purposes		Sums not exceeding		
			Voted by Parliament	Charged on the Consolidated Fund	Total
			Rs.	Rs.	Rs.
83	Department of Steel	Revenue	14,58,71,000	..	14,58,71,000
		Capital	703,97,00,000	*7,03,00,000*	711,00,00,000
84	Department of Mines	Revenue	130,36,79,000	*5,00,000*	130,41,79,000
		Capital	197,37,00,000	..	197,37,00,000
85	Department of Coal	Revenue	148,46,92,000	..	148,46,92,000
		Capital	1065,00,06,000	..	1065,00,06,000
86	Ministry of Tourism and Civil Aviation	Revenue	1,35,85,000	..	1,35,85,000
87	Aviation . .	Revenue	65,73,47,000	*20,000*	65,73,67,000
		Capital	90,81,00,000	*20,00,000*	91,01,00,000
88	Tourism . . .	Revenue	18,20,42,000	..	18,20,42,000
		Capital	13,41,80,000	..	13,41,80,000
89	Ministry of Works and Housing]. . .	Revenue	2,23,05,000	..	2,23,05,000
90	Public Works . .	Revenue	123,66,65,000	..	123,66,65,000
		Capital	69,43,33,000	*12,00,000*	69,55,33,000
91	Water Supply and Sewerage . .	Revenue	301,00,00,000	..	301,00,00,000
92	Housing and Urban Development . .	Revenue	36,04,62,000	*1,83,42,000*	37,88,04,000
		Capital	86,81,08,000	*17,47,26,000*	104,28,34,000
93	Stationery and Printing . . .	Revenue	61,87,94,000	*5,000*	61,87,99,000
94	Department of Atomic Energy . . .	Revenue	1,34,47,000	..	1,34,47,000
95	Atomic Energy Research, Development and Industrial Projects . . .	Revenue	194,80,61,000	..	194,80,61,000
		Capital	449,97,89,000	..	449,97,89,000
96	Nuclear Power Schemes . . .	Revenue	231,53,19,000	..	231,53,19,000
		Capital	197,77,21,000	..	197,77,21,000
97	Department of Culture	Revenue	33,68,02,000	..	33,68,02,000
98	Archaeology . .	Revenue	15,95,00,000	..	15,95,00,000
99	Department of Electronics	Revenue	57,30,00,000	..	57,30,00,000
		Capital	52,30,00,000	..	52,30,00,000

1	2		3		
No. of Vote	Services and purposes		Sums not exceeding		
			Voted by Parliament	Charged on the Consolidated Fund	Total
			Rs.	Rs.	Rs.
100	Department of Ocean Development . .	Revenue	28,19,60,000	..	28,19,60,000
		Capital	70,00,000	..	70,00,000
101	Department of Personnel and Administrative Reforms . .	Revenue	15,29,15,000	*5,000*	15,29,20,000
		Capital	..	*4,00,00,000*	4,00,00,000
102	Department of Space	Revenue	126,55,59,000	..	126,55,59,000
		Capital	85,99,64,000	*2,25,000*	86,01,89,000
103	Department of Youth Affairs and Sports .	Revenue	34,63,61,000	..	34,63,61,000
		Capital	1,30,00,000	..	1,30,00,000
104	Lok Sabha . .	Revenue	11,03,21,000	*5,00,000*	11,08,21,000
105	Rajya Sabha . .	Revenue	3,98,98,000	*1,15,000*	4,00,13,000
	CHARGED — *Staff, Household and Allowances of the President* . .	Revenue	..	*1,39,19,000*	1,39,19,000
106	Secretariat of the Vice-President . .	Revenue	11,30,000	..	11,30,000
	CHARGED — *Union Public Service Commission* . . .	Revenue	..	*5,57,85,000*	5,57,85,000
	TOTAL		1064,34,39,000	*1721,58,48,01,000*	2127,98,82,40,000

STATEMENT OF OBJECTS AND REASONS

This Bill is introduced in pursuance of article 114(1) of the Constitution of India to provide for the appropriation out of the Consolidated Fund of India of the moneys required to meet the expenditure charged on the Consolidated Fund and the grants made by Lok Sabha for expenditure of the Central Government, excluding Railways, for the financial year 1985-86.

VISHWANATH PRATAP SINGH.

PRESIDENT'S RECOMMENDATION UNDER ARTICLE 117 OF THE CONSTITUTION OF INDIA

[Copy of letter No. F. 2(89)-B-(D)/85, dated the 12th April, 1985 from Shri Vishwanath Pratap Singh, Minister of Finance, to the Secretary-General, Lok Sabha.]

The President, having been informed of the subject matter of the proposed Bill to authorise payment and appropriation of certain sums from and out of the Consolidated Fund of India for the services of the financial year 1985-86, recommends under article 117(1) and (3) of the Constitution, the introduction of the Appropriation (No. 4) Bill, 1985 in Lok Sabha and also the consideration of the Bill.

2. The Bill will be introduced in Lok Sabha after the Demands for Grants for expenditure of the Central Government (excluding Railways) for the year 1985-86 have been voted.

SUBHASH C. KASHYAP,
Secretary-General.

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